

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Application by )  
Qwest Communications International, Inc. ) WC Docket 02-148  
for Authorization To Provide )  
In-Region, InterLATA Services )  
in the States of Colorado, Idaho, )  
Iowa, Nebraska, and North Dakota )

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IOWA UTILITIES BOARD  
REPLY COMMENTS  
REGARDING LATE-FILED INTERCONNECTION AGREEMENTS  
OF QWEST COMMUNICATIONS INTERNATIONAL, INC.

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Diane Munns, Chairman  
Mark Lambert, IUB Member  
Elliott Smith, IUB Member

Iowa Utilities Board  
350 Maple Street  
Des Moines, IA 50319  
(515) 281-5979

Dated: August 30, 2002

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**IOWA UTILITIES BOARD  
REPLY COMMENTS  
REGARDING LATE-FILED INTERCONNECTION AGREEMENTS  
OF QWEST COMMUNICATIONS INTERNATIONAL, INC.**

The Iowa Utilities Board (IUB) noted in its comments filed August 28, 2002, that the only remaining open issues in the IUB proceeding to consider the late-filed interconnection agreements, or amendments, were the approval/rejection of the initial three amendments filed by Qwest, noting that pursuant to 199 IAC 38(4)(d), the 30-day comment period would expire on August 28, 2002. No Comments were filed regarding these three amendments.

Attached as Exhibit 1 are copies of letters from John Ridgway, Manager, Telecommunications Section, advising the parties of each of the three amendments that they have been approved. Following each letter is a copy of the internal memoranda recommending approval by Michael Balch, Telecommunications Staff.

As the IUB has previously indicated, the issue of any un-filed interconnection agreements has been reviewed and resolved in Iowa through a separate docket. Qwest now has a defined legal standard to use in determining whether an agreement should be filed in Iowa pursuant to 47 U.S.C. § 252 and has been put on notice that it would be subject to civil penalties in Iowa for failing to file agreements in the future. The prospect of significant monetary penalties should act as a strong deterrent against future violations.

The IUB urges the Federal Communications Commission to approve the application for in-region interLATA services authority filed by Qwest Communications International, Inc. for the State of Iowa.

Respectfully submitted,

/s/ Penny G. Baker  
Penny G. Baker  
Assistant General Counsel  
Iowa Utilities Board  
350 Maple Street  
Des Moines, Iowa 50319-0069

ON BEHALF OF THE IOWA  
UTILITIES BOARD

Dated: August 30, 2002

# Exhibit 1



# STATE OF IOWA

THOMAS J. VILSACK  
GOVERNOR  
SALLY J. PEDERSON  
LT. GOVERNOR

IOWA UTILITIES BOARD  
IOWA DEPARTMENT OF COMMERCE

August 30, 2002

Ms. Ione E. Wilkens  
General Manager-Regulatory  
Qwest Corporation  
925 High Street 9 South 9  
Des Moines, IA 50309

RE: NIA-99-5 (FCU-02-2)

Dear Ms. Wilkens:

The 2<sup>nd</sup> amendment to the Wireline Interconnection Agreement between Qwest Corporation and Covad Communications Company, filed on July 29, 2002, has been reviewed by staff and approved.

If you have additional questions, please contact our Telecommunications staff at (515) 281-5469.

Sincerely,

John Ridgway  
Manager  
Telecommunications Section

mb

cc: Megan Dobernack  
Covad Communications Company  
7901 Lowry Blvd.  
Denver, CO 80230

IOWA UTILITIES BOARD  
Telecommunications Section

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**File #:** NIA-99-5 (FCU-02-2)  
**Utilities:** Qwest Corporation and Covad  
Communications Company  
**File Date/Due Date:** July 29, 2002/September 8, 2002  
**Memo Date:** August 29, 2002

**To:** Board/Supervisor  
**From:** Michael Balch  
**Re:** Second Amendment to Wireline Interconnection Agreement

- I. **Background/Analysis:** On July 29, 2002, Qwest Corporation (Qwest) filed an amendment to the NIA-99-5 interconnection agreement between Qwest and Covad Communications Company (Covad). The amendment was previously reviewed in Docket No. FCU-02-2, where the Board determined the agreement to be an interconnection agreement. In the May 29, 2002, order in Docket No. FCU-02-2, the Board directed Qwest to file the agreement within 60 days, for public notice, review, and approval.

Pursuant to 199 IAC 38.7(4)"d", any interested party may submit written comments supporting approval or rejection of an interconnection agreement. No comments were filed. Pursuant to 47 U.S.C. § 252(e)(2)(A), the Board may reject an interconnection agreement if it finds either: (1) the agreement discriminates against a telecommunications carrier not a party to the agreement; or (2) the implementation of the agreement is not consistent with the public interest, convenience, and necessity. Based on staff's review, the amendment to NIA-99-5 does not violate either standard. Therefore, it should be approved.

- II. **Action Proposed:** Notify Qwest and Covad, by letter, that the Second Amendment to NIA-99-5 is approved pursuant to 199 IAC 38.7(4).

cc: Standard Distribution



## STATE OF IOWA

THOMAS J. VILSACK  
GOVERNOR  
SALLY J. PEDERSON  
LT. GOVERNOR

IOWA UTILITIES BOARD  
IOWA DEPARTMENT OF COMMERCE

August 30, 2002

Ms. Ione E. Wilkens  
General Manager-Regulatory  
Qwest Corporation  
925 High Street 9 South 9  
Des Moines, IA 50309

RE: NIA-97-22 (FCU-02-2)

Dear Ms. Wilkens:

The 14<sup>th</sup> amendment to the Wireline Interconnection Agreement between Qwest Corporation and McLeodUSA Inc., filed on July 29, 2002, has been reviewed by staff and approved.

If you have additional questions, please contact our Telecommunications staff at (515) 281-5469.

Sincerely,

John Ridgway  
Manager  
Telecommunications Section

mb

cc: Ms. Lauraine Harding  
Sr. Mgr.-Interconnection Negotiations  
McLeodUSA, Inc.  
6400 C. St. SW, Box 3177  
Cedar Rapids, IA 52406-3177

IOWA UTILITIES BOARD  
Telecommunications Section

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**File #:** NIA-97-22 (FCU-02-2)  
**Utilities:** Qwest Corporation and McLeodUSA, Inc.  
**File Date/Due Date:** July 29, 2002/September 8, 2002  
**Memo Date:** August 29, 2002

**To:** Board/Supervisor  
**From:** Michael Balch  
**Re:** Fourteenth Amendment to Wireline Interconnection Agreement

- I. **Background/Analysis:** On July 29, 2002, Qwest Corporation (Qwest) filed an amendment to the NIA-97-22 interconnection agreement between Qwest and McLeodUSA, Inc. (McLeodUSA). The amendment was previously reviewed in Docket No. FCU-02-2, where the Board determined the agreement to be an interconnection agreement. In the May 29, 2002, order in Docket No. FCU-02-2, the Board directed Qwest to file the agreement within 60 days, for public notice, review, and approval.

Pursuant to 199 IAC 38.7(4)"d", any interested party may submit written comments supporting approval or rejection of an interconnection agreement. No comments were filed. Pursuant to 47 U.S.C. § 252(e)(2)(A), the Board may reject an interconnection agreement if it finds either: (1) the agreement discriminates against a telecommunications carrier not a party to the agreement; or (2) the implementation of the agreement is not consistent with the public interest, convenience, and necessity. Based on staff's review, the amendment to NIA-97-22 does not violate either standard. Therefore, it should be approved.

- II. **Action Proposed:** Notify Qwest and McLeodUSA, by letter, that the Fourteenth Amendment to NIA-97-22 is approved pursuant to 199 IAC 38.7(4).

cc: Standard Distribution





## STATE OF IOWA

THOMAS J. VILSACK  
GOVERNOR  
SALLY J. PEDERSON  
LT. GOVERNOR

IOWA UTILITIES BOARD  
IOWA DEPARTMENT OF COMMERCE

August 30, 2002

Ms. Ione E. Wilkens  
General Manager-Regulatory  
Qwest Corporation  
925 High Street 9 South 9  
Des Moines, IA 50309

RE: NIA-97-22 (FCU-02-2)

Dear Ms. Wilkens:

The 15<sup>th</sup> amendment to the Wireline Interconnection Agreement between Qwest Corporation and McLeodUSA Inc., filed on July 29, 2002, has been reviewed by staff and approved.

If you have additional questions, please contact our Telecommunications staff at (515) 281-5469.

Sincerely,

John Ridgway  
Manager  
Telecommunications Section

mb

cc: Ms. Lauraine Harding  
Sr. Mgr.-Interconnection Negotiations  
McLeodUSA, Inc.  
6400 C. St. SW, Box 3177  
Cedar Rapids, IA 52406-3177

IOWA UTILITIES BOARD  
Telecommunications Section

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**File #:** NIA-97-22 (FCU-02-2)  
**Utilities:** Qwest Corporation and McLeodUSA, Inc.  
**File Date/Due Date:** July 29, 2002/September 8, 2002  
**Memo Date:** August 29, 2002

**To:** Board/Supervisor  
**From:** Michael Balch  
**Re:** Fifteenth Amendment to Wireline Interconnection Agreement

- I. **Background/Analysis:** On July 29, 2002, Qwest Corporation (Qwest) filed an amendment to the NIA-97-22 interconnection agreement between Qwest and McLeodUSA, Inc. (McLeodUSA). The amendment was previously reviewed in Docket No. FCU-02-2, where the Board determined the agreement to be an interconnection agreement. In the May 29, 2002, order in Docket No. FCU-02-2, the Board directed Qwest to file the agreement within 60 days, for public notice, review, and approval.

*Pursuant to 199 IAC 38.7(4)"d", any interested party may submit written comments supporting approval or rejection of an interconnection agreement. No comments were filed. Pursuant to 47 U.S.C. § 252(e)(2)(A), the Board may reject an interconnection agreement if it finds either: (1) the agreement discriminates against a telecommunications carrier not a party to the agreement; or (2) the implementation of the agreement is not consistent with the public interest, convenience, and necessity. Based on staff's review, the amendment to NIA-97-22 does not violate either standard. Therefore, it should be approved.*

- II. **Action Proposed:** Notify Qwest and McLeodUSA, by letter, that the Fifteenth Amendment to NIA-97-22 is approved pursuant to 199 IAC 38.7(4).

cc: Standard Distribution